



General Assembly

January Session, 2005

Amendment

LCO No. 7302

HB0663907302HR0

Offered by:

REP. SAWYER, 55th Dist.

To: Subst. House Bill No. 6639

File No. 289

Cal. No. 252

**"AN ACT CONCERNING OFFSETS AGAINST DISABILITY
RETIREMENT BENEFITS FOR STATE EMPLOYEES."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 5-192n of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2005*):

5 (a) Each "hazardous duty member" who has completed twenty-five
6 years of credited service while a hazardous duty member may be
7 retired on his own application on the first day of any future month
8 named in the application. For this purpose, leaves of absence, military
9 service, and any other period of nonstate employment which is
10 included as credited service shall be deemed credited service while a
11 hazardous duty member only if state employment as a hazardous duty
12 member immediately precedes and immediately succeeds such period
13 of nonstate employment.

14 (b) Each member referred to in subsection (a) of this section shall

15 receive a monthly retirement income beginning on his retirement date
16 equal to the greater of one-twelfth of two per cent of his final average
17 earnings multiplied by his years of credited service whether while a
18 hazardous duty member or otherwise or (1) if retirement occurs before
19 July 1, 1983, \$200; (2) if retirement occurs on or after July 1, 1983, and
20 on or before June 30, 1984, \$220; (3) if retirement occurs on or after July
21 1, 1984, and on or before June 30, 1985, \$240; (4) if retirement occurs on
22 or after July 1, 1985, and on or before June 30, 1986, \$260; (5) if
23 retirement occurs on or after July 1, 1986, and on or before June 30,
24 1987, \$280; (6) if on or after July 1, 1987, \$300. Monthly retirement
25 income paid under this subsection shall be reduced by the amount of
26 compensation being paid to a member under section 5-142, as
27 amended by this act.

28 Sec. 502. Subsection (b) of section 5-173 of the general statutes is
29 repealed and the following is substituted in lieu thereof (*Effective July*
30 *1, 2005*):

31 (b) On or after October 1, 1982, each such person shall receive a
32 monthly retirement income equal to one-twelfth of (1) fifty per cent of
33 his base salary, as defined in subsection (b) of section 5-162, for such
34 twenty years of service, plus (2) two per cent of his base salary for each
35 year, taken to completed months, of Connecticut state service in excess
36 of twenty years, except that any such person who is both a member of
37 the Division of State Police within the Department of Public Safety and
38 a member of part B shall receive a permanently reduced retirement
39 income upon reaching the age of sixty-five or, if earlier, upon receipt of
40 Social Security disability benefits or, for any such state policeman,
41 upon receipt of benefits under subsection (d) of section 5-142. Any
42 such state police member shall have his monthly retirement income
43 reduced by an amount equal to one-twelfth of one per cent of four
44 thousand eight hundred dollars multiplied by the number of years of
45 state service, taken to completed months. Monthly retirement income
46 paid under this subsection shall be reduced by the amount of any
47 compensation being paid to a member under section 5-142, as
48 amended by this act.

49 Sec. 503. Subsection (a) of section 5-142 of the general statutes is
50 repealed and the following is substituted in lieu thereof (*Effective July*
51 *1, 2005*):

52 (a) If any member of the Division of State Police within the
53 Department of Public Safety or of any correctional institution, or any
54 institution or facility of the Department of Mental Health and
55 Addiction Services giving care and treatment to persons afflicted with
56 a mental disorder or disease, or any institution for the care and
57 treatment of persons afflicted with any mental defect, or any full-time
58 enforcement officer of the Department of Environmental Protection,
59 the Department of Motor Vehicles, the Department of Consumer
60 Protection who carries out the duties and responsibilities of sections
61 30-2 to 30-68m, inclusive, the Office of Adult Probation, the
62 Department of Public Works or the Board of Pardons and Paroles, any
63 probation officer for juveniles or any employee of any juvenile
64 detention home, any member of the police or fire security force of The
65 University of Connecticut, any member of the police or fire security
66 force of Bradley International Airport, any member of the Office of
67 State Capitol Police or any person appointed under section 29-18 as a
68 special policeman for the State Capitol building and grounds and the
69 Legislative Office Building and parking garage and related structures
70 and facilities and other areas under the supervision and control of the
71 Joint Committee on Legislative Management, the Chief State's
72 Attorney, the Chief Public Defender, the Deputy Chief State's
73 Attorney, the Deputy Chief Public Defender, any state's attorney, any
74 assistant state's attorney or deputy assistant state's attorney, any public
75 defender, assistant public defender or deputy assistant public
76 defender, any chief inspector or inspector appointed under section 51-
77 286 or any staff member or employee of the Division of Criminal
78 Justice or of the Division of Public Defender Services, or any Judicial
79 Department employee sustains any injury (1) while making an arrest
80 or in the actual performance of such police duties or guard duties or
81 fire duties or inspection duties, or prosecution or public defender or
82 courthouse duties, or while attending or restraining an inmate of any

83 such institution or as a result of being assaulted in the performance of
84 such person's duty, or while responding to an emergency or code at a
85 correctional institution, and (2) that is a direct result of the special
86 hazards inherent in such duties, the state shall pay all necessary
87 medical and hospital expenses resulting from such injury. If total
88 incapacity results from such injury, such person shall be removed from
89 the active payroll the first day of incapacity, exclusive of the day of
90 injury, and placed on an inactive payroll. Such person shall continue to
91 receive the full salary that such person was receiving at the time of
92 injury subject to all salary benefits of active employees, including
93 annual increments, and all salary adjustments, including salary
94 deductions and, notwithstanding any other provisions of the general
95 statutes, deductions for state taxes, applicable federal taxes, or both,
96 required in the case of active employees, for a period of two hundred
97 sixty weeks from the date of the beginning of such incapacity.
98 Thereafter, such person shall be removed from the payroll and shall
99 receive compensation at the rate of fifty per cent of the salary that such
100 person was receiving at the expiration of said two hundred sixty
101 weeks as long as such person remains so disabled, except that any such
102 person who is a member of the Division of State Police within the
103 Department of Public Safety shall receive compensation at the rate of
104 sixty-five per cent of such salary as long as such person remains so
105 disabled. Such benefits shall be payable to a member of the Division of
106 State Police after two hundred sixty weeks of disability only if the
107 member elects in writing to receive such benefits in lieu of any benefits
108 payable to the employee under the state employees retirement system.
109 In the event that such disabled member of the Division of State Police
110 elects the compensation provided under this subsection, no benefits
111 shall be payable under chapter 568 or the state employees retirement
112 system until the former of the employee's death or recovery from such
113 disability. The provisions of section 31-293 shall apply to any such
114 payments, and the state of Connecticut is authorized to bring an action
115 or join in an action as provided by said section for reimbursement of
116 moneys paid and which it is obligated to pay under the terms of this
117 subsection. All other provisions of the workers' compensation law not

118 inconsistent with this subsection, including the specific indemnities
119 and provisions for hearing and appeal, shall be available to any such
120 state employee or the dependents of such a deceased employee. All
121 payments of compensation made to a state employee under this
122 subsection shall be charged to the appropriation provided for
123 compensation awards to state employees. On and after October 1,
124 1991, any full-time officer of the Department of Environmental
125 Protection, the Department of Motor Vehicles, the Department of
126 Consumer Protection who carries out the duties and responsibilities of
127 sections 30-2 to 30-68m, inclusive, the Office of Adult Probation, the
128 Department of Public Works or the Board of Pardons and Paroles, any
129 probation officer for juveniles or any employee of any juvenile
130 detention home, the Chief State's Attorney, the Chief Public Defender,
131 the Deputy Chief State's Attorney, the Deputy Chief Public Defender,
132 any state's attorney, assistant state's attorney or deputy assistant state's
133 attorney, any public defender, assistant public defender or deputy
134 assistant public defender, any chief inspector or inspector appointed
135 under section 51-286 or any staff member or employee of the Division
136 of Criminal Justice or the Division of Public Defender Services, or any
137 Judicial Department employee who sustains any injury in the course
138 and scope of such person's employment shall be paid compensation in
139 accordance with the provisions of section 5-143 and chapter 568,
140 except, if such injury is sustained as a result of being assaulted in the
141 performance of such person's duty, any such person shall be
142 compensated pursuant to the provisions of this subsection."